

## Superfund Division

### TRIBAL CONSULTATION AND COORDINATION

#### VARIOUS REMOVAL/REMEDIAL ISSUES

**Jackpile-Paguate Uranium Mine Site:** The initial Scoping documents for conducting a Remedial Investigation and Feasibility Study are being prepared by Atlantic Richfield with EPA and tribal oversight. Field assessments are anticipated to take place this spring to support the work associated with developing the Preliminary Conceptual Site Model. Representatives from the Agency for Toxic Substances and Disease Registry (ATSDR) will be available on March 21, 2018, at the Laguna Pueblo Tribal Auditorium to discuss the public health investigation report findings with Tribal leadership and community members. A site tour of the Jackpile Mine site is scheduled on March 22 for ATSDR's Atlanta team. *Blake Atkins 214-665-2297*

**Quapaw Tribe:** EPA continues to work closely with the Quapaw Tribe and the Oklahoma Department of Environmental Quality (ODEQ) in implementing the Tar Creek Superfund site remedy. Since the awarding of a Remedial Action Cooperative Agreement (CA) in FY2012 for the Catholic 40, the first-ever CA in the nation where a Tribe performed a Superfund remedial action on property that they own, the EPA has continued to award the Quapaw Tribe CAs for remedial actions at Beaver Creek North (CP060), Distal 7 North (Drainage Feature), Distal 10/12, and Distal 13. CAs with the Tribe for remedial actions of the Bird Dog chat base, and other areas of the site, are being discussed.

A Bench-Scale Study on the use of soil amendments, led by the EPA's Environmental Response Team, was recently completed at the Catholic 40 (Quapaw tribal trust land). The purpose of the study was to determine if soil amendments can reduce the bioavailability of cadmium, lead, and zinc. The successful use of soil amendments could reduce the amount of transition zone soils (i.e., native soils underneath chat piles/bases) which would otherwise be excavated and taken to a repository for final disposal. The Quapaw Tribe, with technical assistance from the EPA and the ODEQ, is implementing long-term performance measures at the Catholic 40 and Distal 13 to determine the effectiveness of the soil amendments in meeting the remedial action objectives specified in the 2008 Record of Decision for Operable Unit 4 (OU4 - Chat Piles, Other Mining Wastes). The EPA, Quapaw Tribe, and the ODEQ are discussing additional options for reducing the amount of soils that are excavated from the Site and disposed at the central repository. *Blake Atkins 214-665-2297*

**Tar Creek OU5 (Surface Water and Sediments):** EPA is working with tribes, states, and other federal agencies to plan, report and review the risk assessment. The draft tables were provided in November 2017, with a request for review and comment. EPA and the tribes are discussing the appropriate use of settlement money earmarked for OU5 activities. EPA in coordination with the tribes, states, and other federal agencies completed the OU5 remedial investigation field sampling activities starting in July 2017 and ending in November 2017. Other joint activities included the review and comment on the Data Gap Report, the review and development of the

conceptual exposure model for the human health risk assessment, and the review and development of the field sample plan. The next stakeholder meeting is planned for March 2018 and will focus on field sampling accomplishments, potential data gaps, and a discussion of the comments submitted on the draft human health risk assessment. The EPA will continue to coordinate with the tribes interested in the Tar Creek Site through periodic meetings and conference calls. *Blake Atkins 214-665-2297*

**Wilcox Oil Company:** On February 6, 2018, formal Tribal Consultation request letters were sent to the Sac and Fox Nation, Muscogee (Creek) Nation, and Cherokee Nation regarding the draft Source Control Proposed Plan. EPA has not received a request for consultation at this time. Copies of the draft plan have also been provided to the tribal environmental staff. EPA would like to release the Proposed Plan to the public by April 30, 2018..

The last open house was held on November 2, 2017, and provided an update on current site activities. EPA and ODEQ continue to coordinate with the tribal groups interested in the Wilcox Site. The Inter-Tribal Environmental Council (ITEC), Sac and Fox Nation, Muscogee (Creek) Nation, Cherokee Nation, Bureau of Indian Affairs, and Indian Health Service participate in the site meetings and visits. Since finalizing the site Sample and Analysis Plan, EPA completed remedial action field events, the most recent being in October/November 2017. *Blake Atkins 214-665-2297*

**Oklahoma Refining Company:** In April 2018, the EPA and ODEQ are planning to meet with the Mayor of Cyril and the ITEC to provide an update on the status of the remedial activities being performed at the Oklahoma Refining Company Superfund Site located in Cyril, Oklahoma. EPA and ODEQ plan to discuss the current status of the Remedial Design associated with Operable Unit 2 (North Side) as well as recent surface water and ground water sampling results associated with Operable Unit 3. *Blake Atkins 214-665-2297*

**New Mexico Abandoned Uranium Mines:** Investigations into the impacts on groundwater from legacy uranium mining and milling are continuing. The Phase 2 Ground Water Investigation report will be released in spring 2018. EPA will schedule community meetings once the report is released to provide a summary of the findings and answer questions.

The Ambrosia Lake non-time critical removal assessments are also continuing. Field work in the western and eastern areas of Ambrosia Lake has been completed and the central area will be completed in 2018. The data is being utilized to prepare Engineering Evaluation/Cost Analysis (EE/CA) Reports for these areas. This work is being funded by proceeds from the Tronox Settlement.

Coordination meetings are held on a regular basis with Region 6, Region 9, Navajo Nation, New Mexico Environmental Department, and the New Mexico Energy, Minerals and Natural Resources Department to discuss priorities for current and future removal work in the legacy uranium mines under the Tronox settlement. The next meeting is scheduled for March 27 - 28, 2018, at the Bureau of Indian Affairs office in Albuquerque, New Mexico.

EPA is currently evaluating the San Mateo Creek Basin Uranium Legacy Site for potential National Priorities List proposal. On February 14, 2018, a tribal consultation meeting was held

with the Navajo Nation. On February 27, tribal consultation meetings were held with the Pueblo of Acoma and the Pueblo of Laguna. The purpose of the meetings was to provide information to the tribal leadership about the listing, to solicit input, and also to request a letter of support for the NPL proposal. The EPA anticipates proposing the San Mateo Creek Basin Uranium Legacy site to the National Priorities List in the spring of 2018. *Ben Banipal, 214-665-7324, Blake Atkins 214-665-2297, Ronnie Crossland, 214-665-2721*

## **BROWNFIELDS**

### **128a Tribal Response Program Updates:**

- Region 6 received **FY18 Funding Requests** from six 128a Tribal Response Programs, including the Inter-Tribal Environmental Council, Eight Northern Indian Pueblo Council, Absentee Shawnee Tribe, Kickapoo Tribe of Oklahoma, Choctaw Nation and the Muscogee-Creek Nation. We anticipate we will be notified of the final allocation decisions in April and will then begin the award process. *Tony Talton, 214-665-7205*
- The **Region 6 Brownfields Conference** will be held in Addison, TX from June 12 - 14, 2018. All tribal entities interested in learning more about the EPA Brownfields Program are invited to attend! For more information, including registration and hotel information, contact Mary Kemp at [kemp.mary@epa.gov](mailto:kemp.mary@epa.gov) or 214-665-8358. *Tony Talton, 214-665-7205*
- The **Oklahoma Brownfields Conference** will be held in Oklahoma City from September 26 - 28, 2018. For more information, including registration and hotel information, contact [Alisha.grayson@deq.ok.gov](mailto:Alisha.grayson@deq.ok.gov) or 405-702-5113. *Tony Talton, 214-665-7205*
- The **Choctaw Nation and Muscogee-Creek Nation** have begun establishing their 128a programs. These programs are among the newest 128a recipients, having received their first allocation in October 2017. *Tony Talton, 214-665-7205*

## **BROWNFIELDS CLEANUP GRANT**

### **Kickapoo Tribe of Oklahoma:**

The Kickapoo Tribe of Oklahoma was selected to receive Brownfields Cleanup grant funding in the FY 2017 Brownfields grant competition. EPA Region 6 awarded the \$200,000 Brownfields Cleanup grant to Kickapoo Tribe of Oklahoma to cleanup up the asbestos and lead-based paint in the heritage Kickapoo gymnasium. The effective date of the grant was October 1, 2017. The Phase II environmental site assessment to sample exterior paint for lead content and the roof for the presence of asbestos containing materials on the Kickapoo Gymnasium is expected to be assigned to contractor by the end of March 2018. *Tony Talton, 214-665-7205*

## **TARGETED BROWNFIELDS ASSESSMENT ACTIVITIES**

**Santa Clara Pueblo:** On February 21, 2018, the Final Phase I ESA report on the Bridge Radiator Shop in Espanola, NM, was sent to the Santa Clara Pueblo. A follow-up call to discuss the Phase I ESA report and next steps for the Bridge Radiator Shop will be held in March 2018. *Tony Talton, 214-665-7205*

**Cochiti Pueblo:** In January 2018, Kansas State University (KSU) Technical Assistance to Tribal Brownfields met with Cochiti Pueblo to continue discussions about potential reuses on the closed Cochiti Gravel Mine. In March 2018, the Phase III Environmental Site Assessment (ESA) (cleanup/stabilization plan) for the closed Cochiti Gravel Mine will be assigned to a contractor. *Tony Talton, 214-665-7205*

**Acoma Pueblo:** In March 2018, the Phase II ESA for the closed U.S. Department of Commerce Economic Development Administration building in Acoma Village will be assigned to contractor to complete survey of hazardous substances in building.

In January 2018, the University of New Mexico Architecture School met with Acoma Pueblo to discuss reuse planning assistance for the Acoma School and a closed gas station/convenience store. *Tony Talton, 214-665-7205*

**Laguna Pueblo:** NMED is in process of awarding work to complete a limited Phase II ESA to sample monitoring wells, an abandoned drinking water well and indoor air. EPA Region 6 Targeted Brownfields Assistance will work with NMED and Houston Mobile Lab to coordinate use of summa canisters as part of limited Phase II ESA. Additionally, EPA Region 6 TBA will undertake follow-up Phase II ESA sampling based upon results from limited Phase II ESA and Laguna Pueblo priorities. *Tony Talton, 214-665-7205*

## **SUPERFUND TRIBAL COOPERATIVE AGREEMENTS**

### **Tar Creek Superfund Site Operable Unit (OU) 4:**

- **Elm Creek Distal Zone Chat Base 199:** EPA and the Quapaw Tribe of Oklahoma are negotiating a work plan and budget for the Elm Creek Distal Zone, Chat Base 199. The Tribe requested \$2,563,308 for continuing remediation and restoration of Chat Base 199. The period of performance would be from May 1, 2018 through April 30, 2022. To date, \$12,096,449 has been awarded to the Tribe toward this effort. *Tony Talton, 214-665-7205*
- **Marketable Chat Piles CP073, CP077, and CB076:** EPA and the Quapaw Tribe of Oklahoma are negotiating a work plan and budget to fund the removal of marketable chat piles CP073 and CP077, and chat base CBO76. The Tribe requested \$5,841,667 to conduct the remediation. The remedial action will include the hauling of marketable chat to a processor. Removal of the marketable chat will simplify the remediation of the remaining chat source material and subsequent restoration efforts. The period of

performance would be from May 1, 2018 through April 30, 2022. *Tony Talton, 214-665-7205*

- **Elm Creek Distal Zone 10 and 12:** EPA and the Quapaw Tribe of Oklahoma are negotiating a revised work plan and budget to continue the remediation and restoration of Elm Creek Distal Zones 10 and 12. The Tribe requested \$1,319,929 to continue remediation and restoration of Distal Zones 10 and 12. The period of performance would be through March 31, 2021. To date, \$10,650,852 has been awarded to the Tribe toward this effort. *Tony Talton, 214-665-7205.*

**Santa Clara Pueblo, North Railroad Avenue Plume:** The Santa Clara Pueblo requested a one-year, No Cost Time Extension to extend the budget and project periods of their Cooperative Agreement. This request was approved by the Project Officer, as it ensures our Tribal partner continues its meaningful involvement and management assistance activities at the North Railroad Avenue Plume Superfund Site. The No Cost Extension was approved for processing by the Grants Management Office on January 31, 2018. The new project period end date will be March 31, 2019. *Tony Talton, 214-665-7205*

**Pueblo of Laguna, Jackpile Mine Superfund Site:** The first Cooperative Agreement (CA) between the Pueblo of Laguna and Region 6 for the Jackpile Mine site was approved. This CA allows the tribe to conduct management assistance activities and ensures the tribe's meaningful involvement in the Remedial Investigation/Feasibility Study process. The first incremental award to the Pueblo of Laguna is in the approval process and is anticipated to be awarded in late April. *Tony Talton, 214-665-7205*

## **TRAINING**

**Tribal Summit** – Various Superfund and Brownfields break-out sessions will be available during the Tribal Summit in Dallas on April 11 – 13, 2018.